1: Fitzgerald H-5 (1937-1938) AE3 Sino-Tibetan
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courts does not always conform to the enlightened ideas of the legislators. It may well be that an older spirit of compromise on the one hand, and of severity towards socially condemned crimes on the other, still pervades the law as it is applied from day to day. This is illustrated by the kind of sentence imposed for murders of different types. The murder of a near relative, father, mother, brother or sister, a crime abhorred by the Chinese, is punished with death. But the murder of one who is not related to the criminal, even though the crime may have very little palliating or extenuating circumstances, is often only punished by a sentence of five or six years' imprisonment. The prisons of Yunnan are for the most part well below the standard which the government desires to see enforced, and a sentence of some years in prison is therefore not so light as it may seem.

Civil disputes and lawsuits not involving criminal offences come under the jurisdiction of the Branch High Court situated at Ta Li. This type of jurisdiction is of course part of the reforms instituted by the Republic, and the law applied is the new reformed civil code. The Branch High Court has jurisdiction over a much wider area than the *Hsien* of Ta Li itself, for it covers all civil cases of importance brought in the *Hsien* between Pao Shan in the west, Li Chiang in the north, Meng Hua southwards, and Ch'u Hsiung to the east. These places, the nearest to have Branch High Courts themselves, are each about a hundred miles from Ta Li. A civil dispute arising in Erh Yuan or Chien Ch'uan has thus to be brought before the Ta Li Branch High Court, if the parties cannot compose their differences with the aid of arbitrators. The Min Chia, like the Chinese, are not at all a litigious people, always preferring to settle their disputes by arbitration if possible, and only resorting to the courts in the last instance. The cost of litigation in the civil courts, though not high by European standards, is a further deterrent. The ad-